

DOCKETED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

AUG 18 2004 FILED-ED4

4 AUG 17 AM 10:47

CLERK
U.S. DISTRICT COURT

BRUCE BERNSTEIN,

Plaintiff,

vs.

MORTGAGE MASTER, LLC,

Defendant.

Civil Action No.

04C 5401

JUDGE JOAN H. LEFKOW

MAGISTRATE JUDGE DENLOW

COMPLAINT

I. Preliminary Statement

1. This is an action for damages brought by an individual consumer against the Defendants for violations of the Fair Credit Reporting Act (hereafter the "FCRA"), 15 U.S.C. §1681 *et seq.*, *as amended*, and various other laws of the State of Illinois.

II. Jurisdiction and Venue

2. Jurisdiction of this Court arises under 15 U.S.C. § 1681p, 28 U.S.C. §1331, 1337, and supplemental jurisdiction exists for the state law claims pursuant to 28 U.S.C. §1367.

3. Venue lies properly in this district pursuant to 28 U.S.C. §1391(b).

III. Parties

4. Plaintiff, Bruce Bernstein, is an individual who was at all times relevant herein, residing in the Village of Gurnee, County of Lake and State of Illinois.

5. Defendant Mortgage Master, LLC, was at all times a Corporation, involved in part in the business of providing financing for automobile leases, and at all times relevant herein, conducted business in City of Northbrook, County of Cook and State of Illinois.

6. At no time on or prior to June of 2003 did Plaintiff have a credit account or loan with Defendant. In addition, Plaintiff had not applied with Defendant for the purposes of obtaining credit or insurance or applying for employment.

7. In June of 2003, despite knowing that the facts in paragraph 6 above, Defendant accessed Plaintiff's credit files and information impermissibly and through the use of false pretenses, without Plaintiff's consent or knowledge, without legitimate business reason to do so and then never informed Plaintiff of these illegal and impermissible accesses.

8. The aforementioned conduct is a violation of 15 U.S.C. 1681b. As a result of the conduct of the Defendant, Plaintiff has suffered actual damages in the form of financial and dignitary harm arising from the injury to credit rating and reputation as well as an invasion of Plaintiff's privacy, and Plaintiff will continue to suffer the same for an indefinite time in the future, all to Plaintiff's great detriment and loss.

VI. JURY TRIAL DEMAND

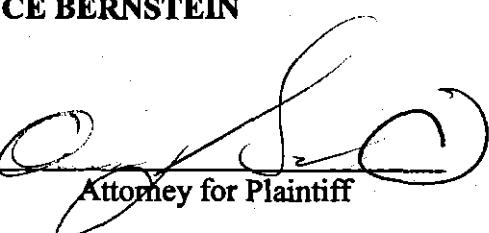
9. Plaintiff demands trial by jury on all issues so triable.

WHEREFORE, Plaintiff seeks judgment in Plaintiff's favor and damages against the Defendant, based on the following requested relief:

- (a) Actual damages;
- (b) Statutory damages;
- (c) Punitive damages;
- (d) Costs and reasonable attorney's fees pursuant to 15 U.S.C. §§1681n, 1681o and 815 ILCS 505/2

- (e) An order directing that Defendant immediately delete all of the references to access of Plaintiff's credit reports on said reports, and cease obtaining any further access of Plaintiff's credit report without express permission from Plaintiff;
- (f) Such other and further relief as may be necessary, just and proper.

Respectfully submitted,
BRUCE BERNSTEIN

By: 
Attorney for Plaintiff

Krohn & Moss, Ltd.
Attorney for Plaintiff
120 West Madison Street, 10th Floor
Chicago, IL 60602
Ph#(312) 578-9428
fax: (866) 289-0895

FILED-ED4
LAW CLERK U.S. DISTRICT COURT
14:01 HV 17 AUG 70

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

DOCKETED

AUG 18 2004

Civil Cover Sheet

This automated JS-44 conforms generally to the manual JS-44 approved by the Judicial Conference of the United States in September 1974. The data is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. The information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is authorized for use only in the Northern District of Illinois.

Plaintiff(s): BRUCE BERNSTEIN

Defendant(s):MORTGAGE MASTERS

County of Residence: LAKE

County of Residence: COOK

Plaintiff's Atty: Larry P. Smith

Defendant's Atty:

Krohn & Moss, Ltd.
120 West Madison Street,
Chicago, Illinois 60602
(312) 578-9428

04C 5401

II. Basis of Jurisdiction: **3. Federal Question (U.S. not a party)**

JUDGE JOAN H. LEFKOW

III. Citizenship of Principal
Parties (Diversity Cases Only)

MAGISTRATE JUDGE DENLOW

Plaintiff:- N/A
Defendant:- N/A

IV. Origin : **1. Original Proceeding**

V. Nature of Suit: **890 Other Statutory Actions**

VI.Cause of Action: **15 U.S.C. 1681 Fair Credit Reporting Act Claim**

VII. Requested in Complaint

Class Action: No
Dollar Demand:
Jury Demand: Yes

VIII. This case IS NOT a refiling of a previously dismissed case.

Signature:

Date: 8-17-04

If any of this information is incorrect, please go back to the Civil Cover Sheet Input form using the Back button in your browser and change it. Once correct, print this form, sign and date it and submit it with your new civil action. Note: You may need to adjust the font size in your browser display to make the form print properly.

Revised: 06/28/00

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

EASTERN DIVISION

In the Matter of

BRUCE BERNSTEIN
vs.
MORTGAGE MASTERS, LLC

Case Number: **04C 5401** CLERK U.S. DISTRICT COURT

04C

FILED-ED4

AUG 18 2004

AM 10:44 AM 17 AUG 2004

APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR

Plaintiff Bruce Bernstein

JUDGE JOAN H. LEFKOW
MAGISTRATE JUDGE DENLOW

(A)

(B)

SIGNATURE

SIGNATURE

NAME **Larry P. Smith**

NAME **Amy Schwab**

FIRM **Krohn & Moss, Ltd.**

FIRM **See (A)**

STREET ADDRESS **120 West Madison Street, 10th Floor**

STREET ADDRESS

CITY/STATE/ZIP **Chicago, Illinois 60602**

CITY/STATE/ZIP

TELEPHONE NUMBER
(312) 578-9428

FAX NUMBER
(866) 289-0895

TELEPHONE NUMBER

FAX NUMBER

E-MAIL ADDRESS **lsmith@consumerlawcenter.com**

E-MAIL ADDRESS **aschwab@consumerlawcenter.com**

IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)
6217162

IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)
6276189

MEMBER OF TRIAL BAR?

YES NO

MEMBER OF TRIAL BAR?

YES NO

TRIAL ATTORNEY?

YES NO

TRIAL ATTORNEY?

YES NO

DESIGNATED AS LOCAL COUNSEL?

YES NO

(C)

(D)

SIGNATURE

SIGNATURE

NAME

NAME

FIRM

FIRM

STREET ADDRESS

STREET ADDRESS

CITY/STATE/ZIP

CITY/STATE/ZIP

TELEPHONE NUMBER

FAX NUMBER

TELEPHONE NUMBER

FAX NUMBER

E-MAIL ADDRESS

E-MAIL ADDRESS

IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)

IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)

MEMBER OF TRIAL BAR?

YES NO

MEMBER OF TRIAL BAR?

YES NO

TRIAL ATTORNEY?

YES NO

TRIAL ATTORNEY?

YES NO

DESIGNATED AS LOCAL COUNSEL?

YES NO

DESIGNATED AS LOCAL COUNSEL?

YES NO